

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SEAN RODNEY ORTH,

Petitioner,

V.

EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA, et al.,

Respondents.

Case No. 2:22-cv-00892-APG-DJA

ORDER

Petitioner, Sean Rodney Orth, has filed a motion (ECF No. 6) requesting a copy of his original petition and a 15-day extension of time to file an amended petition and application to proceed *in forma pauperis* (IFP) pursuant to my previous order (ECF No. 3).

Orth states in his motion that he interpreted my previous order to require he merely name his warden as a respondent. (ECF No. 6 at 1.) I take this opportunity to clarify that, as stated in my previous order, “[t]here is ‘generally only one proper respondent to a given prisoner’s habeas petition,’ and that is “the person with the ability to produce the prisoner’s body before the habeas court,” i.e., the warden of the facility where the prisoner is held. (ECF No. 3 at 1–2.)

Good cause appearing, I THEREFORE ORDER as follows:

1. The motion (ECF No. 6) is **GRANTED**, and Orth has until July 6, 2022, to comply with my previous order (ECF No. 3).
2. The Clerk of the Court is instructed to MAIL Orth a copy of his original petition (ECF Nos. 1; 1-1; and 1-2).
3. If Orth fails to comply with my previous order (ECF No. 3) by the July 6, 2022, deadline I will dismiss this action without prejudice and without further advance notice.

Dated: June 22, 2022

ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE